

LATHAM & WATKINS LLP
Michael W. De Vries (SBN 211001)
mike.devries@lw.com
Andrew Fossum (SBN 250373)
andrew.fossum@lw.com
650 Town Center Drive, 20th Floor
Costa Mesa, California 92626
Telephone: (714) 540-1235
Facsimile: (714) 755-8290

Attorneys for Plaintiff
SINHDARELLA, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SINHDARELLA, INC., a California
corporation,

Plaintiff,

v.

KEVIN VU, an individual, d/b/a/ THE
BOILING CRAB; and DOES 1 through 10,

Defendants.

CASE NO. C 07-04353 WHA

Honorable William H. Alsup

**APPENDIX OF EMPLOYEE
DECLARATIONS IN SUPPORT OF
PLAINTIFF SINHDARELLA, INC.'S
MOTION FOR PRELIMINARY
INJUNCTION**

Date: February 7, 2008
Time: 8:00 a.m.
Courtroom: 9

EXHIBIT A

LATHAM & WATKINS LLP
Michael W. De Vries (SBN 211001)
mike.devries@lw.com
Andrew Fossum (SBN 250373)
andrew.fossum@lw.com
650 Town Center Drive, 20th Floor
Costa Mesa, California 92626
Telephone: (714) 540-1235
Facsimile: (714) 755-8290

Attorneys for Plaintiff
SINHDARELLA, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SINHDARELLA, INC., a California
corporation,

Plaintiff,

v.

KEVIN VU, an individual, d/b/a/ THE
BOILING CRAB; and DOES 1 through 10,

Defendants.

CASE NO. C 07-04353 WHA

Honorable William H. Alsup

**DECLARATION OF BACH HOANG IN
SUPPORT OF PLAINTIFF SINHDARELLA,
INC.'S MOTION FOR PRELIMINARY
INJUNCTION**

Date: February 7, 2008

Time: 8:00 a.m.

Courtroom: 9

DECLARATION OF BACH HOANG

I, Bach Hoang, hereby declare under penalty of perjury that:

1. I am employed at Sinhdarella, Inc.'s ("Sinhdarella") THE BOILING CRAB® restaurant located at 742 W. Valley Blvd. Alhambra, CA 91803.
2. I have worked as an Assistant Manager at Sinhdarella's THE BOILING CRAB® for 6 months.
3. On the following occasion, I spoke with customers of Sinhdarella's THE BOILING CRAB® who were confused that the restaurant operating in San Jose, California under the name "The Boiling Crab" was associated with Sinhdarella's THE BOILING CRAB® restaurants:

- Around the second week of August 2007, I had a customer call into the restaurant and ask if The Boiling Crab in San Jose was affiliated with us. I replied that no we were absolutely not affiliated with the San Jose location.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Executed this 18th day of December, 2007 at Los Angeles, California.


Bach Hoang

EXHIBIT B

1 LATHAM & WATKINS LLP
2 Michael W. De Vries (SBN 211001)
3 *mike.devries@lw.com*
4 Andrew Fossum (SBN 250373)
5 *andrew.fossum@lw.com*
6 650 Town Center Drive, 20th Floor
7 Costa Mesa, California 92626
8 Telephone: (714) 540-1235
9 Facsimile: (714) 755-8290

10 Attorneys for Plaintiff
11 SINHDARELLA, INC.

12 UNITED STATES DISTRICT COURT
13
14 NORTHERN DISTRICT OF CALIFORNIA

15 SINHDARELLA, INC., a California
16 corporation,

17 Plaintiff,

18 v.

19 KEVIN VU, an individual, d/b/a/ THE
20 BOILING CRAB; and DOES 1 through 10,

21 Defendants.

CASE NO. C 07-04353 WHA

Honorable William H. Alsup

**DECLARATION OF CLAUDIA LEON IN
SUPPORT OF PLAINTIFF SINHDARELLA,
INC.'S MOTION FOR PRELIMINARY
INJUNCTION**

Date: February 7, 2008

Time: 8:00 a.m.

Courtroom: 9

DECLARATION OF CLAUDIA LEON

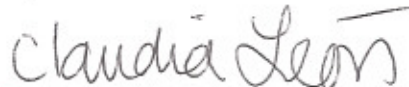
I, Claudia Leon, hereby declare under penalty of perjury that:

1. I am employed at Sinhdarella, Inc.'s ("Sinhdarella") THE BOILING CRAB® restaurant located at 14241 Euclid St. #C-116, Garden Grove, CA and 13892 Brookhurst, Garden Grove, CA 92843.
2. I have worked as a Lead Server at Sinhdarella's THE BOILING CRAB® for almost 1 year and 3 months.
3. On the following occasion, I spoke with customers of Sinhdarella's THE BOILING CRAB® who were confused that the restaurant operating in San Jose, California under the name "The Boiling Crab" was associated with Sinhdarella's THE BOILING CRAB® restaurants:

- Just this past November 2007, around the week before Thanksgiving, I had a customer ask me if the San Jose Boiling Crab was the same as ours. I smiled and politely told them that we were not affiliated with them but that we get asked that often.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Executed this 19th day of December, 2007 at Garden Grove, California.



Claudia Leon

EXHIBIT C

1 LATHAM & WATKINS LLP
2 Michael W. De Vries (SBN 211001)
3 *mike.devries@lw.com*
4 Andrew Fossum (SBN 250373)
5 *andrew.fossum@lw.com*
6 650 Town Center Drive, 20th Floor
7 Costa Mesa, California 92626
8 Telephone: (714) 540-1235
9 Facsimile: (714) 755-8290

10 Attorneys for Plaintiff
11 SINHDARELLA, INC.

12 UNITED STATES DISTRICT COURT
13
14 NORTHERN DISTRICT OF CALIFORNIA

15 SINHDARELLA, INC., a California
16 corporation,

17 Plaintiff,

18 v.

19 KEVIN VU, an individual, d/b/a/ THE
20 BOILING CRAB; and DOES 1 through 10,

21 Defendants.

CASE NO. C 07-04353 WHA

Honorable William H. Alsup

**DECLARATION OF DECHAIRY LEE IN
SUPPORT OF PLAINTIFF SINHDARELLA,
INC.'S MOTION FOR PRELIMINARY
INJUNCTION**

Date: February 7, 2008

Time: 8:00 a.m.

Courtroom: 9

DECLARATION OF DECHAIRY LEE

I, Dechairy Lee, hereby declare under penalty of perjury that:

1. I am employed at Sinhdarella, Inc.'s ("Sinhdarella") THE BOILING CRAB® restaurant located at 14241 Euclid St. #C-116, Garden Grove, CA and 13892 Brookhurst, Garden Grove, CA 92843.
2. I have worked as a Lead Server at Sinhdarella's THE BOILING CRAB® for 1 years and 6 months.
3. On at least the following occasions, I spoke with customers of Sinhdarella's THE BOILING CRAB® who were confused that the restaurant operating in San Jose, California under the name "The Boiling Crab" was associated with Sinhdarella's THE BOILING CRAB® restaurants:

- In late September of 2006, I was taking an order from a customer when they asked me if we were that same as the Boiling Crab in San Jose.
- A couple of weeks later in early October 2006, I had a "to go" customer ask me if the San Jose was a part of our franchise. I told him no we had nothing to do with them and were not affiliated with The Boiling Crab up there.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Executed this 22th day of December, 2007 at Garden Grove, California.


Dechairy Lee

EXHIBIT D

LATHAM & WATKINS LLP
Michael W. De Vries (SBN 211001)
mike.devries@lw.com
Andrew Fossum (SBN 250373)
andrew.fossum@lw.com
650 Town Center Drive, 20th Floor
Costa Mesa, California 92626
Telephone: (714) 540-1235
Facsimile: (714) 755-8290

Attorneys for Plaintiff
SINHDARELLA, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SINHDARELLA, INC., a California
corporation,

Plaintiff,

v.

KEVIN VU, an individual, d/b/a/ THE
BOILING CRAB; and DOES 1 through 10,

Defendants.

CASE NO. C 07-04353 WHA

Honorable William H. Alsup

**DECLARATION OF GINA DUONG IN
SUPPORT OF PLAINTIFF SINHDARELLA,
INC.'S MOTION FOR PRELIMINARY
INJUNCTION**

Date: February 7, 2008

Time: 8:00 a.m.

Courtroom: 9

DECLARATION OF GINA DUONG

I, Gina Duong, hereby declare under penalty of perjury that:

1. I am employed at Sinhdarella, Inc.'s ("Sinhdarella") THE BOILING CRAB® restaurant located at 14241 Euclid St. #C-116, Garden Grove, CA and 13892 Brookhurst, Garden Grove, CA 92843.
2. I have worked as a Lead Server at Sinhdarella's THE BOILING CRAB® for almost 2 year and 3 months.
3. On at least the following occasions, I spoke with customers of Sinhdarella's THE BOILING CRAB® who were confused that the restaurant operating in San Jose, California under the name "The Boiling Crab" was associated with Sinhdarella's THE BOILING CRAB® restaurants:
 - In August of 2006 around the beginning of the month, I had a customer ask me if we had just opened the Boiling Crab in San Jose. I told them no and that we were not related to them at all.
 - In mid September 2006, I had another customer ask me if The Boiling Crab in San Jose was the same as ours. I told them we had no affiliation with San Jose.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Executed this 20th day of December, 2007 at Garden Grove, California.



Gina Duong

EXHIBIT E

LATHAM & WATKINS LLP
Michael W. De Vries (SBN 211001)
mike.devries@lw.com
Andrew Fossum (SBN 250373)
andrew.fossum@lw.com
650 Town Center Drive, 20th Floor
Costa Mesa, California 92626
Telephone: (714) 540-1235
Facsimile: (714) 755-8290

Attorneys for Plaintiff
SINHDARELLA, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SINHDARELLA, INC., a California
corporation,

Plaintiff,

v.

KEVIN VU, an individual, d/b/a/ THE
BOILING CRAB; and DOES 1 through 10,

Defendants.

CASE NO. C 07-04353 WHA

Honorable William H. Alsup

**DECLARATION OF JESSE ARAKAKI IN
SUPPORT OF PLAINTIFF SINHDARELLA,
INC.'S MOTION FOR PRELIMINARY
INJUNCTION**

Date: February 7, 2008

Time: 8:00 a.m.

Courtroom: 9

DECLARATION OF JESSE ARAKAKI

I, Jesse Arakaki, hereby declare under penalty of perjury that:

1. I am employed at Sinhdarella, Inc.'s ("Sinhdarella") THE BOILING CRAB® restaurant located at 14241 Euclid St #C-116 Garden Grove, CA and 13892 Brookhurst St. Garden Grove, CA.
2. I have worked as a Server at Sinhdarella's THE BOILING CRAB® for 2 years and 10 months.
3. On at least the following occasions, I spoke with customers of Sinhdarella's THE BOILING CRAB® who were confused that the restaurant operating in San Jose, California under the name "The Boiling Crab" was associated with Sinhdarella's THE BOILING CRAB® restaurants:
 - Last fall around the second week of November 2006 while working at the Euclid location, I was taking a "to go" order when the customer said, "I went to your other location in San Jose and how come you guys never have crab there?" I replied that we were not the same restaurant and had no affiliation. The customer then replied, "No wonder."
 - Also during this month of November, I had a customer ask me if the San Jose location was run by the same people. I responded, "No, we were not affiliated with the San Jose Boiling Crab."
 - During the first week of December 2006, I had another customer ask me if San Jose associated with our restaurant and I replied "No, it is not."
 - Finally, more recently this September 2007 around the beginning of the month, I had a customer ordering "to go" and ask, "Is yours [the food] better than San Jose?" I then replied that we were not associated with the San Jose location.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Executed this 2nd day of December, 2007 at Garden Grove, California.



Jesse Arakaki

EXHIBIT F

LATHAM & WATKINS LLP
Michael W. De Vries (SBN 211001)
mike.devries@lw.com
Andrew Fossum (SBN 250373)
andrew.fossum@lw.com
650 Town Center Drive, 20th Floor
Costa Mesa, California 92626
Telephone: (714) 540-1235
Facsimile: (714) 755-8290

Attorneys for Plaintiff
SINHDARELLA, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SINHDARELLA, INC., a California
corporation,

Plaintiff,

v.

KEVIN VU, an individual, d/b/a/ THE
BOILING CRAB; and DOES 1 through 10,

Defendants.

CASE NO. C 07-04353 WHA

Honorable William H. Alsup

**DECLARATION OF JOHN TRIEU IN
SUPPORT OF PLAINTIFF SINHDARELLA,
INC.'S MOTION FOR PRELIMINARY
INJUNCTION**

Date: February 7, 2008

Time: 8:00 a.m.

Courtroom: 9

DECLARATION OF JOHN TRIEU

I, John Trieu, hereby declare under penalty of perjury that:

1. I am employed at Sinhdarella, Inc.'s ("Sinhdarella") THE BOILING CRAB® restaurant located at 14241 Euclid St #C-116 Garden Grove, CA and 13892 Brookhurst St. Garden Grove, CA.
2. I have worked as a Server at Sinhdarella's THE BOILING CRAB® for 1 year and 9 months.
3. On the following occasion, I spoke with customers of Sinhdarella's THE BOILING CRAB® who were confused that the restaurant operating in San Jose, California under the name "The Boiling Crab" was associated with Sinhdarella's THE BOILING CRAB® restaurants:
 - Around the last week of May 2007, I had a table of three come in for dinner and after taking their order they asked if The Boiling Crab in San Jose was ours. I quickly responded no we were not affiliated with The Boiling Crab in San Jose in any way.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Executed this 17th day of December, 2007 at Garden Grove, California.


John Trieu

EXHIBIT G

LATHAM & WATKINS LLP
Michael W. De Vries (SBN 211001)
mike.devries@lw.com
Andrew Fossum (SBN 250373)
andrew.fossum@lw.com
650 Town Center Drive, 20th Floor
Costa Mesa, California 92626
Telephone: (714) 540-1235
Facsimile: (714) 755-8290

Attorneys for Plaintiff
SINHDARELLA, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SINHDARELLA, INC., a California
corporation,

Plaintiff,

v.

KEVIN VU, an individual, d/b/a/ THE
BOILING CRAB; and DOES 1 through 10,

Defendants.

CASE NO. C 07-04353 WHA

Honorable William H. Alsup

**DECLARATION OF JOHNSON NGUYEN
IN SUPPORT OF PLAINTIFF
SINHDARELLA, INC.'S MOTION FOR
PRELIMINARY INJUNCTION**

Date: February 7, 2008

Time: 8:00 a.m.

Courtroom: 9

DECLARATION OF JOHNSON NGUYEN

I, Johnson Nguyen, hereby declare under penalty of perjury that:

1. I am employed at Sinhdarella, Inc.'s ("Sinhdarella") THE BOILING CRAB® restaurant located at 14241 Euclid St #C-116 Garden Grove, CA and 13892 Brookhurst St. Garden Grove, CA.
2. I have worked as a Server at Sinhdarella's THE BOILING CRAB® for 2 years and 1 month.
3. On at least the following occasions, I spoke with customers of Sinhdarella's THE BOILING CRAB® who were confused that the restaurant operating in San Jose, California under the name "The Boiling Crab" was associated with Sinhdarella's THE BOILING CRAB® restaurants:
 - During the last week of July 2006 while working at THE BOILING CRAB, I had a party of 4 tell me they had heard we opened a San Jose location. I then informed them that we did not have a Boiling Crab in San Jose, and we were not associated with them.
 - Around the second week of February 2007 I had some customers ask me if the San Jose location was owned by the same people here in Garden Grove. I told them we were not run by the same people. We have no affiliation.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Executed this 22 day of December, 2007 at Garden Grove, California.

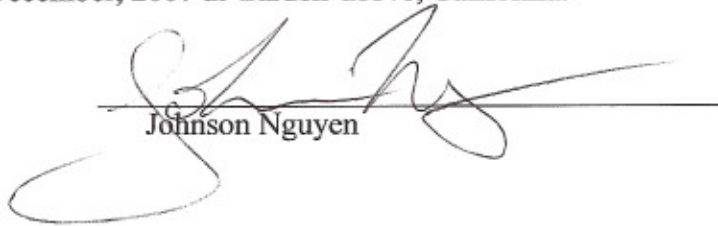

Johnson Nguyen

EXHIBIT H

1 LATHAM & WATKINS LLP
2 Michael W. De Vries (SBN 211001)
3 *mike.devries@lw.com*
4 Andrew Fossum (SBN 250373)
5 *andrew.fossum@lw.com*
6 650 Town Center Drive, 20th Floor
7 Costa Mesa, California 92626
8 Telephone: (714) 540-1235
9 Facsimile: (714) 755-8290

10 Attorneys for Plaintiff
11 SINHDARELLA, INC.

12 UNITED STATES DISTRICT COURT
13
14 NORTHERN DISTRICT OF CALIFORNIA

15 SINHDARELLA, INC., a California
16 corporation,

17 Plaintiff,

18 v.

19 KEVIN VU, an individual, d/b/a/ THE
20 BOILING CRAB; and DOES 1 through 10,

21 Defendants.

CASE NO. C 07-04353 WHA

Honorable William H. Alsup

**DECLARATION OF JULIE TRAN IN
SUPPORT OF PLAINTIFF SINHDARELLA,
INC.'S MOTION FOR PRELIMINARY
INJUNCTION**

Date: February 7, 2008

Time: 8:00 a.m.

Courtroom: 9

DECLARATION OF JULIE TRAN

I, Julie Tran, hereby declare under penalty of perjury that:

1. I am employed at Sinhdarella, Inc.'s ("Sinhdarella") THE BOILING CRAB® restaurant located at 14241 Euclid St #C-116 Garden Grove, CA and 13892 Brookhurst St. Garden Grove, CA.
2. I have worked as an Assistant Manager at Sinhdarella's THE BOILING CRAB® for 3 years and 5 months.
3. On at least the following occasions, I spoke with customers of Sinhdarella's THE BOILING CRAB® who were confused that the restaurant operating in San Jose, California under the name "The Boiling Crab" was associated with Sinhdarella's THE BOILING CRAB® restaurants:
 - During the last week of August 2006 while working at the Euclid location, I had some customers ask me if the San Jose location was the same as ours. I replied that we were not the same and had no affiliation.
 - Then again in early September of 2006, I was seating some customers and they told me that they heard we opened a Boiling Crab in San Jose. I told them that was not ours and we were not related to that restaurant in any way.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Executed this 22th day of December, 2007 at Garden Grove, California.


Julie Tran

EXHIBIT I

LATHAM & WATKINS LLP
Michael W. De Vries (SBN 211001)
mike.devries@lw.com
Andrew Fossum (SBN 250373)
andrew.fossum@lw.com
650 Town Center Drive, 20th Floor
Costa Mesa, California 92626
Telephone: (714) 540-1235
Facsimile: (714) 755-8290

Attorneys for Plaintiff
SINHDARELLA, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SINHDARELLA, INC., a California
corporation,

Plaintiff,

v.

KEVIN VU, an individual, d/b/a/ THE
BOILING CRAB; and DOES 1 through 10,

Defendants.

CASE NO. C 07-04353 WHA

Honorable William H. Alsup

**DECLARATION OF LE DAM IN SUPPORT
OF PLAINTIFF SINHDARELLA, INC.'S
MOTION FOR PRELIMINARY
INJUNCTION**

Date: February 7, 2008

Time: 8:00 a.m.

Courtroom: 9

Dec 20 07 12:40a

p.6

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DECLARATION OF LE DAM

I, Le Dam, hereby declare under penalty of perjury that:

1. I am employed at Sinhdarella, Inc.'s ("Sinhdarella") THE BOILING CRAB® restaurant located at 742 W. Valley Blvd. Alhambra, CA 91803.
2. I have worked as an Operating Member at Sinhdarella's THE BOILING CRAB® for almost 6 months.
3. On at least the following occasions, I spoke with customers of Sinhdarella's THE BOILING CRAB® who were confused that the restaurant operating in San Jose, California under the name "The Boiling Crab" was associated with Sinhdarella's THE BOILING CRAB® restaurants:

- During the last week of May 2007, I received a phone call from my cousin Buu Ha who lives in the Bay Area telling me that she had eaten at my friend's restaurant The Boiling Crab in San Jose last week and that she felt her friend had gotten sick off the crawfish. I told her that the restaurant was not my friend's and that they were in no way affiliated with The Boiling Crab in San Jose.
- On July 8th 2007, I sat a table of 4 and as they sat they asked me if the San Jose Boiling Crab was affiliated with ours. I told them no we are not.
- During the second week of October 2007, I had a customer ask me if the San Jose was the same as ours in Orange County. I told them no we were not associated with them.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Executed this 19th day of December, 2007 at Alhambra, California.



Le Dam

EXHIBIT J

LATHAM & WATKINS LLP
Michael W. De Vries (SBN 211001)
mike.devries@lw.com
Andrew Fossum (SBN 250373)
andrew.fossum@lw.com
650 Town Center Drive, 20th Floor
Costa Mesa, California 92626
Telephone: (714) 540-1235
Facsimile: (714) 755-8290

Attorneys for Plaintiff
SINHDARELLA, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SINHDARELLA, INC., a California
corporation,

Plaintiff,

v.

KEVIN VU, an individual, d/b/a/ THE
BOILING CRAB; and DOES 1 through 10,

Defendants.

CASE NO. C 07-04353 WHA

Honorable William H. Alsup

**DECLARATION OF LINDA NGUYEN IN
SUPPORT OF PLAINTIFF SINHDARELLA,
INC.'S MOTION FOR PRELIMINARY
INJUNCTION**

Date: February 7, 2008

Time: 8:00 a.m.

Courtroom: 9

DECLARATION OF LINDA NGUYEN

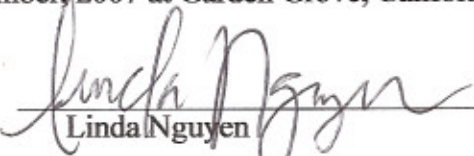
I, Linda Nguyen, hereby declare under penalty of perjury that:

1. I am employed at Sinhdarella, Inc.'s ("Sinhdarella") THE BOILING CRAB® restaurant located at 14241 Euclid St. #C-116, Garden Grove, CA and 13892 Brookhurst, Garden Grove, CA 92843.
2. I have worked as an Lead Server at Sinhdarella's THE BOILING CRAB® for almost 1 year and 5 months.
3. On at least the following occasions, I spoke with customers of Sinhdarella's THE BOILING CRAB® who were confused that the restaurant operating in San Jose, California under the name "The Boiling Crab" was associated with Sinhdarella's THE BOILING CRAB® restaurants:

- In September of 2006 at the Brookhurst location, I had some customers come in and tell me they heard we opened The Boiling Crab in San Jose. I corrected them and told them that no, we are not the same restaurant and are not affiliated with them.
- In September of 2006 around the middle of the month, I had customers ask me again about the San Jose Boiling Crab. This time they asked me if we had the same hours. I told them I wouldn't know because we are not the same restaurant and were not affiliated with them in any way.
- Also in September around the middle of the month, I had a customer place a "to go" order and they asked if San Jose was run by the same owners of The Boiling Crab here. I told them we are not run by the same people and not associated with them.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Executed this 26th day of December, 2007 at Garden Grove, California.


Linda Nguyen

DECLARATION OF LINDA NGUYEN

EXHIBIT K

LATHAM & WATKINS LLP
Michael W. De Vries (SBN 211001)
mike.devries@lw.com
Andrew Fossum (SBN 250373)
andrew.fossum@lw.com
650 Town Center Drive, 20th Floor
Costa Mesa, California 92626
Telephone: (714) 540-1235
Facsimile: (714) 755-8290

Attorneys for Plaintiff
SINHDARELLA, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SINHDARELLA, INC., a California
corporation,

Plaintiff,

v.

KEVIN VU, an individual, d/b/a/ THE
BOILING CRAB; and DOES 1 through 10,

Defendants.

CASE NO. C 07-04353 WHA

Honorable William H. Alsup

**DECLARATION OF MINDEE
OUDONEDAVY IN SUPPORT OF
PLAINTIFF SINHDARELLA, INC.'S
MOTION FOR PRELIMINARY
INJUNCTION**

Date: February 7, 2008
Time: 8:00 a.m.
Courtroom: 9

Dec 20 07 12:39a

p.4

1
2
3 **DECLARATION OF MINDEE OUDONEDAVY**

4 I, Mindee Oudonedavy, hereby declare under penalty of perjury that:

- 5 1. I am employed at Sinhdarella, Inc.'s ("Sinhdarella") THE BOILING CRAB® restaurant
6 located at 742 W. Valley Blvd. Alhambra, CA 91803.
7 2. I have worked as a Server at Sinhdarella's THE BOILING CRAB® for 6 months.
8 3. On the following occasion, I spoke with customers of Sinhdarella's THE BOILING
9 CRAB® who were confused that the restaurant operating in San Jose, California under
10 the name "The Boiling Crab" was associated with Sinhdarella's THE BOILING CRAB®
11 restaurants:

- 12 • In the month of October 2007, I had a customer ask me if The Boiling Crab in
13 San Jose was run by the same owners of The Boiling Crab in Garden Grove. I
14 responded that we were not related.

15 I declare under penalty of perjury of the laws of the United States that the
16 foregoing is true and correct.

17 Executed this 19th day of December, 2007 at Alhambra, California.

18 
19 Mindee Oudonedavy
20
21 12-19-07
22
23
24
25
26
27
28

EXHIBIT L

LATHAM & WATKINS LLP
Michael W. De Vries (SBN 211001)
mike.devries@lw.com
Andrew Fossum (SBN 250373)
andrew.fossum@lw.com
650 Town Center Drive, 20th Floor
Costa Mesa, California 92626
Telephone: (714) 540-1235
Facsimile: (714) 755-8290

Attorneys for Plaintiff
SINHDARELLA, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SINHDARELLA, INC., a California
corporation,

Plaintiff,

v.

KEVIN VU, an individual, d/b/a/ THE
BOILING CRAB; and DOES 1 through 10,

Defendants.

CASE NO. C 07-04353 WHA

Honorable William H. Alsup

**DECLARATION OF NANA LAU IN
SUPPORT OF PLAINTIFF SINHDARELLA,
INC.'S MOTION FOR PRELIMINARY
INJUNCTION**

Date: February 7, 2008

Time: 8:00 a.m.

Courtroom: 9

DECLARATION OF NANA LAU

I, Nana Lau, hereby declare under penalty of perjury that:

1. I am employed at Sinhdarella, Inc.'s ("Sinhdarella") THE BOILING CRAB® restaurant located at 14241 Euclid St #C-116 Garden Grove, CA and 13892 Brookhurst St. Garden Grove, CA.
2. I have worked as a Manager at Sinhdarella's THE BOILING CRAB® for 3 years and 8 months.
3. On at least the following occasions, I spoke with customers of Sinhdarella's THE BOILING CRAB® who were confused that the restaurant operating in San Jose, California under the name "The Boiling Crab" was associated with Sinhdarella's THE BOILING CRAB® restaurants:
 - In July 2006 around the last week while working at the Euclid location, I was taking a "to go" order and the customer asked if the The Boiling Crab in San Jose was the same owner. I replied no that currently we just had this one location.
 - In late August 2006 as I took a customer's order, they proceeded to tell me that they had tried our San Jose location and "it sucked." I told them that the San Jose location was not one of ours and that we have no affiliation.
 - Also during this month of August 2006, I had a customer call in and ask if our hours were the same in San Jose as they were here in Garden Grove. I simply told them I did not know because we were not associated with The Boiling Crab in San Jose.
 - At the beginning of September 2006 while working at the new Brookhurst location I had a customer ask me if this was our 3rd location. I asked them what they meant by that and they responded Euclid, San Jose, now Brookhurst. I told them no, we are not affiliated with them we just have the 2 locations in Garden Grove however, we are looking into opening in the Bay

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Area in the near future.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Executed this 9th day of December, 2007 at Garden Grove, California.

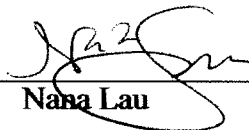

Nana Lau

EXHIBIT M

LATHAM & WATKINS LLP
Michael W. De Vries (SBN 211001)
mike.devries@lw.com
Andrew Fossum (SBN 250373)
andrew.fossum@lw.com
650 Town Center Drive, 20th Floor
Costa Mesa, California 92626
Telephone: (714) 540-1235
Facsimile: (714) 755-8290

Attorneys for Plaintiff
SINHDARELLA, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SINHDARELLA, INC., a California
corporation,

Plaintiff,

v.

KEVIN VU, an individual, d/b/a/ THE
BOILING CRAB; and DOES 1 through 10,

Defendants.

CASE NO. C 07-04353 WHA

Honorable William H. Alsup

**DECLARATION OF NGUYEN VU IN
SUPPORT OF PLAINTIFF SINHDARELLA,
INC.'S MOTION FOR PRELIMINARY
INJUNCTION**

Date: February 7, 2008

Time: 8:00 a.m.

Courtroom: 9

DECLARATION OF NGUYEN VU

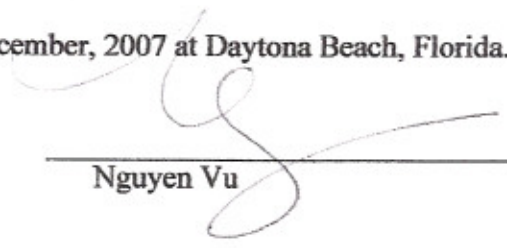
I, Nguyen Vu, hereby declare under penalty of perjury that:

1. I am employed at Sinhdarella, Inc.'s ("Sinhdarella") THE BOILING CRAB® restaurant located at 14241 Euclid St #C-116 Garden Grove, CA and 13892 Brookhurst St. Garden Grove, CA.
2. I have worked as a Manager at Sinhdarella's THE BOILING CRAB® for 3 years and 4 months.
3. On at least the following occasions, I spoke with customers of Sinhdarella's THE BOILING CRAB® who were confused that the restaurant operating in San Jose, California under the name "The Boiling Crab" was associated with Sinhdarella's THE BOILING CRAB® restaurants:
 - Around mid-August of 2006, a group of customers from Los Angeles (whom frequent The Boiling Crab in Garden Grove very often) came in to dine and asked me if we opened a location in San Jose. They told me that they were visiting the San Jose area and was craving crawfish when one of their friends mentioned that The Boiling Crab just opened in San Jose. They were really excited to be able to eat and introduce their other friends to The Boiling Crab but they were very disappointed when they tried it. They initially assumed that the San Jose restaurant was the same owners as the one in Garden Grove because the décor was very similar and the menu was almost identical. They said that they were really disappointed in the quality of the food and suspected it might be a different owner. When they asked one of the worker's, she abruptly said that it wasn't the same and that the San Jose location opened up first. They felt that she must have been asked this question often before because she answered before they finished asking the question. They said that they felt misled. I apologized and explained that the San Jose one is a completely different restaurant unrelated to Garden Grove.

- During a Saturday afternoon shift in late September of 2006, I received two phone calls asking me for directions to our location in San Jose. Both customers live in the San Jose area and had heard that The Boiling Crab just opened in San Jose. One of the customers said that he had heard many great things about The Boiling Crab in Garden Grove from friends and really wanted to try it the next time he visited Orange County. But that he was so excited to hear one opened in San Jose so that he didn't have to wait. He was disappointed to hear there was no affiliation.
- Around Thanksgiving of 2006, a customer and her husband (who relocated to San Jose from Orange County earlier in the year and who often come in to eat at The Boiling Crab in Garden Grove when they visited) came in to dine. They mentioned to me that they went to the location in San Jose thinking that it was the same and was also disappointed that the food was not the same and that it was not affiliated with Garden Grove.
- In early March of 2007, another customer and her husband came into The Boiling Crab in Garden Grove to dine and told me that she is from San Francisco and that she just got married in San Francisco. She said that she was excited to take her family and relatives to eat at The Boiling Crab in San Jose but was disappointed when we told her there is no affiliation when she called the Garden Grove location to get directions.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Executed this 20th day of December, 2007 at Daytona Beach, Florida.



Nguyen Vu

EXHIBIT N

LATHAM & WATKINS LLP
Michael W. De Vries (SBN 211001)
mike.devries@lw.com
Andrew Fossum (SBN 250373)
andrew.fossum@lw.com
650 Town Center Drive, 20th Floor
Costa Mesa, California 92626
Telephone: (714) 540-1235
Facsimile: (714) 755-8290

Attorneys for Plaintiff
SINHDARELLA, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SINHDARELLA, INC., a California
corporation,

Plaintiff,

v.

KEVIN VU, an individual, d/b/a/ THE
BOILING CRAB; and DOES 1 through 10,

Defendants.

CASE NO. C 07-04353 WHA

Honorable William H. Alsup

**DECLARATION OF VONG MEKDARA IN
SUPPORT OF PLAINTIFF SINHDARELLA,
INC.'S MOTION FOR PRELIMINARY
INJUNCTION**

Date: February 7, 2008

Time: 8:00 a.m.

Courtroom: 9

Dec 20 07 12:38a

p.2

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DECLARATION OF VONG MEKDARA

I, Vong Mekdara, hereby declare under penalty of perjury that:

1. I am employed at Sinhdarella, Inc.'s ("Sinhdarella") THE BOILING CRAB® restaurant located at 742 W. Valley Blvd. Alhambra, CA 91803.
2. I have worked as an Operating Member at Sinhdarella's THE BOILING CRAB® for 6 months.
3. On at least the following occasions, I spoke with customers of Sinhdarella's THE BOILING CRAB® who were confused that the restaurant operating in San Jose, California under the name "The Boiling Crab" was associated with Sinhdarella's THE BOILING CRAB® restaurants:

- Sometime at the end of September 2007, I overheard customers in our waiting area talk about The Boiling Crab in San Jose being associated with The Boiling Crab in Garden Grove. I corrected the customers and let them know that we were not related.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Executed this 19 day of December, 2007 at Alhambra, California.


Vong Mekdara

PROOF OF SERVICE

I am employed in the County of Orange, State of California. I am over the age of 18 years and not a party to this action. My business address is Latham & Watkins LLP, 650 Town Center Drive, 20th Floor, Costa Mesa, CA 92626-1925.

On **December 28, 2007**, I served the following document described as:

**APPENDIX OF EMPLOYEE DECLARATIONS IN SUPPORT OF PLAINTIFF
SINH DARELLA, INC.'S MOTION FOR PRELIMINARY INJUNCTION**

by serving a true copy of the above-described document in the following manner:

BY U.S. MAIL

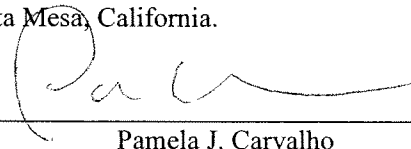
I am familiar with the office practice of Latham & Watkins LLP for collecting and processing documents for mailing with the United States Postal Service. Under that practice, documents are deposited with the Latham & Watkins LLP personnel responsible for depositing documents with the United States Postal Service; such documents are delivered to the United States Postal Service on that same day in the ordinary course of business, with postage thereon fully prepaid. I deposited in Latham & Watkins LLP' interoffice mail a sealed envelope or package containing the above-described document and addressed as set forth below in accordance with the office practice of Latham & Watkins LLP for collecting and processing documents for mailing with the United States Postal Service:

Christopher Hays, Esq.
Law Offices of Christopher Hays
One Embarcadero Center, Suite 500
San Francisco, California 94111

Attorneys for Defendant
Kevin Vu

I declare that I am employed in the office of a member of the Bar of, or permitted to practice before, this Court at whose direction the service was made and declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on **December 28, 2007**, at Costa Mesa, California.



Pamela J. Carvalho